

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

DELINDA KING

PLAINTIFF

V.

CASE NO. 07-CV-1052

PAUL MEASON,
Director, South Arkansas Substance Abuse, Inc.

DEFENDANT

ORDER

Before the Court is Defendant's Motion to Dismiss. (Doc. 12). Defendant seeks dismissal of this case pursuant to Arkansas Rule of Civil Procedure 12(b)(6). Plaintiff has not responded, and the time for response has passed. The Court finds the matter ripe for consideration.

Plaintiff brought this action against Defendant pursuant to Title VII of the Civil Rights Act, alleging race discrimination. Defendant argues that Plaintiff has failed to state a claim upon which relief can be granted, because Title VII liability only applies to employers. Individual supervisors are not employers and, thus, cannot be liable under Title VII. *Roark v. City of Hazen*, 189 F.3d 758, 761 (8th Cir. 1999); *Bonomolo-Hagen v. Clay Central-Everly Community Sch. Dist.*, 121 F.3d 446, 447 (8th Cir. 1997); *Lenhardt v. Basic Inst. of Technology*, 55 F.3d 377, 381 (8th Cir. 1995). Here, Paul Meason is a supervisor and not an employer. Thus, Plaintiff's claims against Defendant Paul Meason, individually, should be dismissed. Moreover, Plaintiff has offered no arguments as to why this case should not be dismissed.

Accordingly, Defendant's Motion to Dismiss should be and hereby is **GRANTED**. All claims against Defendant Paul Meason are **DISMISSED**.

IT IS SO ORDERED, this 14th day of January, 2008.

/s/ Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge